

Appendix A

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
Houston DIVISION

Lavonna Gardner

versus

ExxonMobil

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CIVIL ACTION NO. \_\_\_\_\_

EMPLOYMENT DISCRIMINATION COMPLAINT

1. This action is brought under Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is conferred by Title 42 United States Code, Section § 2000e-5.

2. The Plaintiff is: Lavonna Gardner

Address: 14723 T C Jester Blvd. #514

Houston, Texas 77068

County of Residence: Harris

3. The defendant is: ExxonMobil

Address: 22777 Springwoods Village Pkwy

Spring, Texas 77389

G Check here if there are additional defendants. List them on a separate sheet of paper with their complete addresses.

4. The plaintiff has attached to this complaint a copy of the charges filed on \_\_\_\_\_ with the Equal Opportunity Commission.

5. On the date of 8/10/2020, the plaintiff received a Notice of Right to Sue letter issued by the Equal Employment Opportunity Commission; a copy is attached.

6. Because of the plaintiff's:

- (a) G race
- (b) G color
- (c) G sex
- (d) G religion
- (e) G national

origin, the defendant has:

- (a) G failed to employ the plaintiff
  - (b) G terminated the plaintiff's employment
  - (c) G failed to promote the plaintiff
  - (d) G other: Company engaged in discrimination, harassment and retaliation practices before and after HR complaint alleging discrimination and bullying. Company failed to conduct investigation, engaged in additional harassment and unreasonable requests and demands that violated my religious principles.
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7. When and how the defendant has discriminated against the plaintiff:

Upon complaint of bullying, mobbing, and racial discrimination, company refused fair HR Investigation, engaged in additional actions causing emotional distress, and constructive termination by violating my religious principles.

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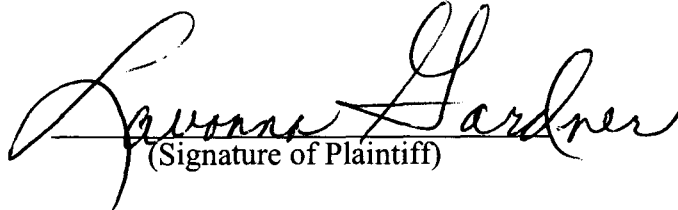
8. The plaintiff requests that the defendant be ordered:

- (a) G to stop discriminating against the plaintiff
- (b) G to employ the plaintiff
- (c) G to re-employ the plaintiff
- (d) G to promote the plaintiff

- (e) G to Provide backpay for wages lost since constructive termination, compensation through retirement and full retirement plus punitive damages 3 times annual salary at time of constructive termination.

\_\_\_\_\_ and that;

- (f) G the Court grant other relief, including injunctions, damages, costs and attorney's fees.

  
(Signature of Plaintiff)

Address: 14723 T C Jester #514

Houston, Texas 77068

Telephone: 832-423-0149

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CIVIL ACTION NO. \_\_\_\_\_

ORIGINAL COMPLAINT

For 11 years, I worked for ExxonMobil with an impeccable record. I had no complaints and my manager, Timothy Hollingsworth told me I was in the A-performers category just one week before I submitted a formal complaint and request for transfer and 5 months after my first report to him of a violation.

Within days, I was deemed unfit and put on disability for 3 months with no discussion about my complaint about racial remarks, excessive bullying & workplace harassment, mobbing, and other forms of psychological violence. I was promised that I would not be retaliated against because of my complaint, but I was.

After 3 months of humiliation, psychological testing, and a clearance from 2 therapists to return to work, I was denied work modifications and then bullied and retaliated against because of my request for sufficient time to prepare myself for a successful return.

My religious rights were violated when I refused to see a psychiatrist which was retaliation and a way to constructively

terminate me, which ended up happening.

To add insult to injury, ExxonMobil reported to Texas Workforce Commission that I quit, delaying my unemployment for weeks, causing additional emotional distress and mental anguish.

## UNITED STATES DISTRICT COURT

for the  
Southern District of TexasLavonna Gardner

Plaintiff

Exxon Mobil

Defendant

Civil Action No.

## NOTICE OF A LAWSUIT AND REQUEST TO WAIVE SERVICE OF A SUMMONS

To: \_\_\_\_\_

(Name of the defendant or - if the defendant is a corporation, partnership, or association - an officer or agent authorized to receive service)

**Why are you getting this?**

A lawsuit has been filed against you, or the entity you represent, in this court under the number shown above. A copy of the complaint is attached.

This is not a summons, or an official notice from the court. It is a request that, to avoid expenses, you waive formal service of a summons by signing and returning the enclosed waiver. To avoid these expenses, you must return the signed waiver within \_\_\_\_\_ days (give at least 30 days, or at least 60 days if the defendant is outside any judicial district of the United States) from the date shown below, which is the date this notice was sent. Two copies of the waiver form are enclosed, along with a stamped, self-addressed envelope or other prepaid means for returning one copy. You may keep the other copy.

**What happens next?**

If you return the signed waiver, I will file it with the court. The action will then proceed as if you had been served on the date the waiver is filed, but no summons will be served on you and you will have 60 days from the date this notice is sent (see the date below) to answer the complaint (or 90 days if this notice is sent to you outside any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will arrange to have the summons and complaint served on you. And I will ask the court to require you, or the entity you represent, to pay the expenses of making service.

Please read the enclosed statement about the duty to avoid unnecessary expenses.

I certify that this request is being sent to you on the date below.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of the attorney or unrepresented party\_\_\_\_\_  
Printed name\_\_\_\_\_  
Address\_\_\_\_\_  
E-mail address\_\_\_\_\_  
Telephone number